

January 23, 2023

**Via JZIS**

Board of Zoning Adjustment  
441 4th Street, N.W.  
Suite 210S  
Washington, DC 20001

**Re: Prehearing Submission - BZA Case No. 20867 – 1934 35<sup>th</sup> Place, NW**

Dear Chairperson Hill and Members of the Board:

Enclosed is an updated self-certification form and prehearing statement. The plans have not changed in any way—except to relabel the lowest level as a crawl space not a cellar—however, after discussions with the Office of Planning, the Applicant must now seek area variance relief from the lot occupancy and rear yard requirements rather than the special exception relief originally requested. While the proposal is within the 70% lot occupancy limit, special exception relief pursuant to D-5201 is only available for additions to a "principal residential building with one (1) principal dwelling unit." As this is an existing nonconforming flat (2-units), the special exception relief is therefore not available to this project and the Applicant now seeks to update the Application.

Respectfully Submitted,

*Alexandra Wilson*

Alexandra Wilson  
Sullivan & Barros, LLP

**CERTIFICATE OF SERVICE**

I hereby certify that on January 23, 2023, an electronic copy of this submission was served to the following:

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Respectfully Submitted,

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